

FILED

NOV 20 2007

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LARRY JAMES JACKSON,

Defendant - Appellant.

No. 06-10515

D.C. No. CR-05-00049-GEB

MEMORANDUM^{*}

Appeal from the United States District Court
for the Eastern District of California
Garland E. Burrell, Jr., Chief District Judge, Presiding

Submitted October 22, 2007^{**}

Before: B. FLETCHER, WARDLAW, and IKUTA, Circuit Judges.

Larry James Jackson appeals from his guilty-plea conviction and 70-month sentence imposed for mail fraud and aiding and abetting, in violation of 18 U.S.C. §§ 1341 and 2. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Jackson contends that the district court abused its discretion in denying his motion to withdraw his guilty plea and that the district court erred by not conducting an evidentiary hearing into his allegations that he was coerced into pleading guilty. We disagree.

The district court did not abuse its discretion in denying Jackson's motion to withdraw his guilty plea. *See United States v. Nostratis*, 321 F.3d 1206, 1208-10 (9th Cir. 2003). Moreover, the district court was not required to conduct an evidentiary hearing into Jackson's allegations because the district court had sufficient evidence to reach an informed decision. *Cf. United States v. Gonzalez*, 113 F.3d 1026, 1028 (9th Cir. 1997) (stating that a district court must conduct an inquiry adequate to establish a sufficient basis for reaching an informed decision).

AFFIRMED.